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**Miami-Dade County, Florida**

**Title:**

**Misdemeanor & Probation Services, Program Monitor for Batterers' Program and  
Supervisory Services for the Court**

**SCOPE OF SERVICES**

**2.1 Background**

Miami-Dade County, hereinafter referred to as the "County", on behalf of the Eleventh Judicial Circuit of Florida, hereinafter referred to as the "Court" is soliciting proposals from capable and qualified Contractors for the purpose of providing: Misdemeanor and Probation Services, Program Monitor for Batterers' Intervention Program Service Providers, and Supervisory Services for the Court.

The contractor shall be capable and qualified to provide management and supervision of convicted persons on suspended sentences, who have been granted provisional freedom on the promise of good behavior. And, the Contractor will also meet the Minimum certification standards to be able to 1. Monitor the Batterers' Intervention Program (BIP) Service Providers and 2. Access the Clients participating in the Program. Note: the Batterers' Intervention Program has already been established by the Court (Attachment C) and it addresses the domestic violence issues in Miami- Dade County.

The goals of the programs are:

- To partner with a Contractor that will establish comprehensive services to address the needs of the Probationers and "Batterers' Intervention Program" (BIP) Offenders/Respondents.
- To reduce jail overcrowding and offender recidivism.
- Combine intense supervision with proper treatment based programs that would further enhance public safety
- To ensure that all court ordered conditions are monitored and successfully completed by offenders.

A brief description of the services to be provided is outlined below.

**A. Misdemeanor Probation Services**

In accordance with Chapter 948.15, Florida Statutes for the judges currently assigned to the Criminal and Domestic Violence Divisions of the County Court in and for Miami-Dade County, the Contractor will provide assessments to ascertain appropriate treatment plan, management, rehabilitation, supervision and probation services for defendants found guilty of misdemeanors who are placed on probation. In addition, the Contractor will provide qualified staff to serve as the liaison with the approximately twenty-six sentencing judges and for the initial intake of persons on probation. The Contractor will manage an estimate of five hundred newly assigned cases per month. This is an estimate and the County does not have any obligations as a result of this estimate.

**B. Batterers' Intervention Program ("BIP") Service Providers**

The Contractor shall act as both the Assessor and the Monitoring Agency for the court in connection with the "BIP" Program in the manner set forth below:

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- I. As the Assessor, upon the determination by the Court to refer a defendant/respondent to a Batterers' Intervention Program, the Contractor shall conduct an assessment of the defendant/respondent to determine the nature of the BIP services to be provided. After such assessment, the Contractor shall provide to the defendant/respondent the list of BIP Providers, which are under contract with the Court, from which the defendant/respondent will choose for the purpose of receiving such services. See Attachment "C" for the sample contract with the BIP Providers; Attachment "D" for the list of BIP Providers.
- II. As the Monitoring Agency, in accordance with The Batterers' Intervention Program Service Provider Standards for Monitoring, attached hereto as Attachment "A", the Contractor shall monitor the services provided by the BIP Providers to ensure their compliance with the Batterers' Intervention Program Service Provider Minimum Certification Standards ("Standards"). See, Standards attached hereto as Attachment "B."

Furthermore, the Contractor shall act as the liaison between the BIP Providers and the Court in order to provide all necessary communications on the status of the defendants/respondents during their treatment at each of the respective BIPs.

**C. Supervising Agency for the Court**

The Provider will perform the function of Supervising Agency for the Court, ensuring that all conditions specified by the Court in the court order and/or referral are followed and met during the term specified by the Court for each defendant and offender/respondent

The County anticipates awarding a contract to one Contractor for a five (5) year period.

**2.2 Services to be provided by Contractor for:**

**A. Misdemeanor Probation Services:**

The Contractor shall

- a) Based on the essential standards established by the American Correctional Association (ACA) and in accordance to Chapter 948.15 of the Florida Statute, provide to the Court photocopies of the following valid documentation for all personnel to serve as probation officers prior to initiating services:
  - Educational credentials indicating that the employee has, at a minimum, a bachelor's degree.
  - Valid license under Chapter 490 or 491, Florida Statutes or license as a license-eligible clinician under Section 491.0045, Florida Statutes, to perform assessment of defendants receiving misdemeanor probation services.

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- b) Provide to the Court photocopies of criminal background check documentation for all staff members assigned to perform duties under this contract, to include probation officers and new hires throughout the term of the contract.
- c) Assign staff that is qualified to handle the administrative role of liaison between the agency and any number of courts sentencing probation as far as the status of a client's progress, report on any issues of non-compliance, etc. Further, this is the staff that will conduct the initial intake once a defendant is sentenced to probation
- d) Assign a maximum probation officer-to-client (probationers) ratio of 1-to-110, for all projects.
- e) Maintain case records of each probationer and retain such records for at least three (3) years following termination of individual's probation.
- f) Have, either on staff, or on-call, bilingual interpreters with verbal proficiency in Haitian Creole, and Spanish to assist the probationers in understanding and meeting the terms of their probation.
- g) Follow-up and enforce all special conditions of probation in accordance with 948.03 Florida Statute. Priority shall be placed on probationer's timely payment of restitution. Any waiver by the sentencing court of any special condition shall be noted in probationer's case file.
- h) Identify any sex offenders/predators placed on probation on or after September 1, 2005. If the probationer is a sex offender/predator in the State of Florida and was placed on probation without electronic monitoring, the Contractor shall immediately notify the Clerk's office, in writing, to have case placed on the sentencing judge's report for re-sentencing. Probation officers shall meet on a monthly basis with any returning probationer until completion of probation. **The Contractor shall collect the cost for electronic monitoring from the probationer.**
- i) Assign a dedicated probation officer to work with defendants with mental illness placed on special probation by the Court. The assigned probation officer shall have experience and knowledge with mental illness cases and have the community resources to ensure proper rehabilitation and recovery. Probation officers shall maintain detailed records to include:
  - Name/number of probationers ordered by the Court to receive mental health treatment and services in the community
  - Type of treatments and services provided to probationers
  - Name of facility to which probationers are referred
- j) Contractor will have multiple service locations throughout Miami-Dade County and each service location will be open regular hours as stated below to encourage probationers to maintain contact and be in compliance while serving his/her probation period. A List of these locations will be provided to the Court and in the case where the Contractor may require modifying the hours of operation of any of the

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locations, the Contractor must give the Court a 24 hour notice and provide the new hours of operation and the length of the revised schedule in writing which will need to be approved by the Court.

<b>Intakes and Reports</b>	Monday – Thursday	8.30 am – 7.30pm
	Friday	8.30 am – 4.30pm
	Saturday	8.30 am – 12.00 noon
<b>Domestic Violence</b>	Monday – Friday	8.30 am – 4.00pm

- k) Monitor all probationers routinely but no less than once a week for subsequent arrests and report such arrests to the sentencing court if a violation of probation has occurred within the following five (5) business days.
- l) Accept all payments for probation services from individuals who are placed on probation by Court order. The Contractor shall look solely to the individual probationers for fee payment and not to the County, Courts, or COC. The Contractor may waive or reduce fees for probationers on any type of public assistance. ***The inability of a probationer to pay shall never be a reason for refusal of probation services to a Court ordered probationer.***
- m) Report on a daily basis the collection distribution to the COC, on the following business day after collection. Collection shall be reported in a non-electronic format separating Traffic and Misdemeanor cases. Collection distribution shall be submitted to the COC by check with the attached supporting documentation. The Contractor shall provide the following minimum information:
1. Court case number
  2. Defendant name
  3. Type of collection (restitution, restitution fee, fine/court costs)
  4. Amount of collection (restitution, restitution fee, etc.)
  5. Date of collection and distribution
  6. Daily total of the number of cases by category, and which must correspond to the balance of the submitted check
- The non-electronic format may be replaced by an automated file interface for traffic cases, as Section 2.3.
- n) Provide a payment plan to probationers, for partial payment, in accordance with the State of Florida guidelines as defined in Chapter 28.246(4) of the Florida Statute. Partial payments may be accepted in conformity with State of Florida guidelines. The fee to be recognized on partial payment shall be in the same proportion as the payment received to the total owed.
- o) Be responsible for insufficient fund checks and chargebacks. The COC will not give refunds for insufficient funds, chargebacks or overpayment directly to the probationers.

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- p) Maintain the proposed fee rates firm and fixed throughout the term of the contract. Contractor shall obtain written approval from the Chief Judge prior to modifying the rates to probationers. The Contractor may waive or reduce fees to the
- q) Provide probation status changes such as Violation of Probation to the Clerk, immediately upon occurrence. An affidavit should be submitted and include all relevant information alleging with specificity the violation. This affidavit should be left with the COC within the following five (5) business days to ensure the court take action as need be.
- r) Send restitution payments only, when ordered by the Judge, through the COC via transfer of funds through a non-electronic format. Restitution payment to the Clerk shall include the Clerk's fee of \$3.00 for each payment in accordance with Chapter 28.24(26) of the Florida Statute.
- s) Obtain probationers payments of court-related fines or other monetary penalties, fees, charges and costs within the timeline determined by the Courts. Partial payments shall be accepted in accordance with State of Florida guidelines as defined in Chapter 28.246(4) of the Florida Statute. In cases where the victim cannot be located, the Contractor shall make a request to the sentencing Court for proper disposition instructions.
- t) Provide the following minimum internal control procedures:
  - 1. Use pre-numbered receipts for the probationers and required supporting documentation.
  - 2. Use an automated accounting system in conformity with generally accepted accounting standards.
  - 3. Perform daily reconciliation of receipts and distributions.
  - 4. Follow policies and procedures that are in compliance with the Payment Card Industry (PCI), ([www.visa.com/cisp](http://www.visa.com/cisp)), Data Security Requirements, when accepting credit card payments.
  - 5. Have designated personnel to accept payments.
  - 6. Have a Certified Public Accounting firm to perform annual financial reviews and testing of internal controls.
- t) Provide adequate office space, equipment and supplies sufficient to provide misdemeanor probation services as requested herein. (Note: The County, Court and/or COC reserves the right to visit the office space to be utilized to provide services, prior to award of contract, to ensure space is adequate to provide the services required.)
- u) Comply with all Federal and State Laws applicable to providing misdemeanor probation services, as well as any applicable court orders.
- v) Have a dedicated person whose primary responsibility shall be to provide job placement services to unemployed probationers. Such person shall maintain and retain records that reflect the following:
  - 1. Name and number of probationers ordered by the Court to seek employment.
  - 2. Number of individuals who were placed into employment.

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- w) Designate a dedicated individual to respond to day-to-day matters who shall be readily accessible to the County, Courts and COC personnel and shall be responsible for coordinating the resolution of any issues that may arise
- x) Assign a dedicated, qualified staff member(s) to be available to communicate with the judge via phone, and upon request of the Courts, appear at probation violation hearings at no cost to the County, Courts, or COC for the following cases:
  - 1. Mental illness
  - 2. Sex offender/predators
  - 3. Job placement services
  - 4. Delinquency or revocation hearings

**2.2.1 Specific Services to the County, the Court and the Clerk of Courts**

The Contractor shall:

- a) Provide the chief judge's office and the COC with a monthly report that shall include summary of supervised probationers with the following information:
  - 1. Probationer's name and address
  - 2. Court case number
  - 3. Charge description
  - 4. Sentence date
  - 5. Sentencing Judge
  - 6. Duration of ordered probation
  - 7. Probation Officer
  - 8. Last date of contact
  - 9. Probationers that will have probation sentences completed
  - 10. Fines and costs imposed, paid and due
  - 11. Total probation fee (monthly rate x months sentenced to probation)
  - 12. Total probation fee collected
  - 13. Total probation fee balance
- b) Provide upon request of the Courts and/or COC, reports to be sorted by any of the above mentioned data elements. All records of the Contractor will be open to inspection upon the request of the County, the Court, the COC, the Auditor General, the Office of Program Policy Analysis and Government Accountability, or agents thereof.
- c) Not invoice the County, Courts or COC for any services rendered pursuant to the contract that will result from this contract.
- d) File a Violation of Probation Affidavit with to the COC recommending the revocation of probation in the

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following circumstances:

1. The direct violation of a court-ordered condition of probation.
  2. The re-arrest of a probationer.
  3. Failure of a probationer to comply with all probation conditions.
  4. Failure of a probationer to respond to written warnings notifying the probation officer of potential violations (group or class attendance, failure to report, and similar occurrences).
- e) Undertake all new cases assigned by the County, Courts and COC. (Note: The Court will re-assign the existing cases to the Contractor, in a time period of 90 days from the award date.
- f) Assist the court and law enforcement authorities in tracking absconders through the submission of an absconder investigation report which details the probationer's personal history and employment information, the circumstances of their violations and their last known whereabouts.

**2.2.2 Specific Service to Probationers**

The Contractor shall:

- a) Evaluate the needs for each probationer referred to the Contractor by the sentencing Court, and shall exert its best efforts to direct the probationer to an appropriate program(s). Records of referral and progress reports shall be reflected in the maintained and retained probationer's file.
- b) Provide probation services to probationers that have been declared indigent by the Courts.
- c) Encourage unemployed probationers to improve their employability by recommending and assisting probationer's in seeking further schooling or job/technical training. In addition, the Contractor shall directly provide educational classes and/or group counseling, unless such services are expressly exempted by the sentencing court or provided elsewhere.
- d) Assist appropriate probationers in availing themselves of the full array of social services offered in Miami-Dade County, including, employment placement, job training, substance abuse treatment, individual counseling and medical treatment, and similar services.
- e) Schedule a minimum of one (1) monthly face-to-face with the probation officer and probationers, during their probation period. This requirement may be substituted by telephone calls from the Contractor's staff personnel of at least four (4) times per month.
- f) Provide drug and alcohol counseling and urine surveillance services to probationers identified and ordered by the court. These services will be paid for by the probationer.
- g) Provide electronic monitoring services of probationers at the direction of the court. These services will be paid for by the probationer.

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- h) Contractor must provide at least two (2) computer terminals at each Probation service location (reference Section 2.2 – j above) for use by the Probationers to comply with any Court Ordered web based programs

**2.2.3 Additional Services**

The County is considering implementation of an automated data exchange interface system during the term of the contract. The Contractor shall provide when requested in written and/or verbal instruction by the Court and/or COC, the following additional services: Implementation of an automated data exchange interface system for Traffic and/or Misdemeanor cases. This additional service shall be at no cost to the County, Court and/or COC.

The Contractor shall:

- a) Be capable to develop with the COC an automated data exchange interface system for traffic cases. The Contractor shall implement a second interface system for Misdemeanor. The automated interface shall involve transmission and retrieval of simple text files which shall include case information according to the specific format requested by the COC. The text files shall be transmitted and retrieved from specified file paths at a designed File Transfer Protocol server (FTP) as follows:
  - 1) Connect to a File Transfer Protocol (FTP) server using a Uniform Resource Locator (URL) or Internet Protocol (IP) address.
  - 2) Log on with user ID and password assigned by COC.
  - 3) Transmit or retrieve text file.
  - 4) Verify automated transmission/retrieval message.
  - 5) Verify process completion through audit of log files.
  - 6) Inform COC of any transmission/retrieval failures or anomalies.

The clerk will provide a text file for traffic case information, including any changes of assessments occurred on the day of transmission, by placing the text file on the FTP server at the designated path. The Contractor shall retrieve the text file on the following day.

The Contractor shall transmit information on probation completion and failures as text file to the designated path of the FTP server through a similar process. Detail information and operational times will be defined by the Clerk to the Contractor during the development of the automated exchange system.

- b) Send on a daily basis, at the end of each business day, a file of changed traffic case information, including payments received on the current day. All payments shall have a total amount, which shall be accompanied by an Automatic Clearing House (ACH) process. The Clerk will retrieve the information on the following day and process information upon verification. The Contractor shall provide a telephone support number along with proper staffing to define and resolve transmission problems within



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the same business day.

- c) Send restitution payments when ordered, to the COC via transfer of funds through the electronic format. Restitution payment to the Clerk shall include the Clerk's fee of \$3.00 for each payment in accordance to 28.24(26) Florida Statute.
- d) Provide the following minimum internal control procedures:
  - 1. Pre-numbered receipts for the probationers and required supporting documentation.
  - 2. An automated accounting system in conformity with generally accepted accounting standards.
  - 3. Daily reconciliation of receipts and distributions.
  - 4. Policies and procedures that are in compliance with the Payment Card Industry (PCI), ([www.visa.com/cisp](http://www.visa.com/cisp)), Data Security Requirements, when accepting credit card payments.
  - 5. Have designated personnel to accept payments.
  - 6. A Certified Public Accounting firm to perform annual financial reviews and testing of internal controls.

The Contractor shall provide to the COC access to the electronic system, to view information on cases.

**B. Monitoring Services of the Batterers' Intervention Program ("BIP"):**

The Contractor Shall

- a.) Conduct on-site desktop monitoring of the records and documentation, as well as observe group activity of all BIP Service Providers, on a regular basis.
- b.) Prepare written reports of all monitoring activities ("Monitoring Report"), specifically documenting whether all terms and conditions of the BIP Service Provider Agreement have been met.
- c.) Outline in the Monitoring Report the necessary corrective action(s) for any BIP Service Provider that has violated or failed to meet the terms and conditions of the BIP Service Provider Agreement.
- d.) Provide both the Court and the BIP Service Provider a copy of the Monitoring Report.
- e.) Notify the Court of any noncompliance by offenders/respondents regarding Court ordered treatment.
- f.) Schedule meetings with BIP Service Providers as needed, to address outstanding issues or concerns, and corrective actions that need to be implemented.
- g.) Serve as members of subcommittees to assist the court on projects (e.g., DV Drug Court, assessment tools).
- h.) Diligently monitor, evaluate, ensure and report back to the Court that the therapeutic services and treatment being furnished by the BIP Service Provider is effective and that they are adhering to all contractual obligations that they are bound by.

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- i.) Review and maintain the monthly reports provided by the BIP Service Providers containing the information enumerated in the Article III-Records and Reports of the BIP Service Provider Agreement.
- j.) Abide by and follow all the policies and procedures as stated in the following four (4) attachments:
  - 1. Attachment A - Batterers' Intervention Program Service Provider Standards for Monitoring
  - 2. Attachment B - Batterers' Intervention Program Service Provider Minimum Certification Standards
  - 3. Attachment C - Batterers' Intervention Program Contract with the Court
  - 4. Attachment D - Batterers' Intervention Program Contracted Vendors

**C. Assessment Services for offenders/respondents referred by the Court for BIP services:**

- a.) Maintain a staff of qualified assessors who meet the following minimum educational, experiential and training requirements:
  - i. Licensed under Chapter 490 or 491, Florida Statutes, or license-eligible clinicians under Section 491.0045, Florida Statutes. Under Section 491.005, Florida Statutes, an individual who is registered as a license-eligible intern who has submitted all necessary applications, paid all requisite fees and is under the supervision of a qualified licensed supervisor may perform assessments. However, all assessments must be approved and signed by a qualified licensed supervisor.
  - ii. Completion of twenty-one hours of training by approved trainers who include but are not limited to lawyers, social workers, mental health professionals, doctors on the power and control model of intervention, or other models of approved intervention.
  - iii. Completion of twelve hours of additional training on domestic violence issues which shall include:
    - Eight (8) hours of training on the relationship of substance abuse to domestic violence by approved trainers; and
    - Four (4) hours of court attendance during domestic violence court hearings.
- b.) Document and maintain the assessments in order to provide statistical data as to the dates of their occurrence, number and type of referrals made referrals upon the assessments, and to whom the referrals were made.